



Livermore Site Office News

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For Immediate Release

January 28, 2008

LAWRENCE LIVERMORE NATIONAL LABORATORY GRANTED APPROVAL TO OPERATE BIOSAFETY LEVEL 3 FACILITY

LIVERMORE, CA – Lawrence Livermore National Laboratory has been granted approval to begin operating its new biosafety laboratory, following the completion and release to the public of the final environmental documents, by the U.S. Department of Energy (DOE), National Nuclear Security Administration, Livermore Site Office.

The Final Revised Environmental Assessment and Revised Finding of No Significant Impact for the Proposed Construction and Operation of a Biosafety Level 3 Facility at Lawrence Livermore National Laboratory were released to the public today. The Revised Finding of No Significant Impact will allow the Laboratory to proceed with opening the facility. Final revised documents were prepared in response to an October 2006 Court ruling requiring the U.S. Department of Energy to consider the potential environmental impacts of terrorist activity against the facility.

“The U.S. Department of Energy has determined the probability of a successful terrorist attack on the Biosafety Level 3 facility is extremely low,” Livermore Site Office Manager Camille Yuan-Soo Hoo announced today. “The safety and security features of the laboratory meet, or in many cases, exceed, those required for this type of research. In addition, the purpose of the work to be conducted in the facility will be to develop systems and technologies to reduce the overall probability and consequence of a bio-terrorist act against the public in general.”

The U.S. Department of Energy sought public comment on the Draft Revised Environmental Assessment during a 30-day comment period beginning April 11, 2007 and ending May 11, 2007.

DOE became involved in bioscience work in support of its biology and biotechnology research programs, work for other agencies, and work in support of the Chemical and Biological National Security Program (CBNP). The National Nuclear Security Administration’s CBNP mission was to “develop, demonstrate and deliver technologies and systems to improve domestic defense capabilities and, ultimately, to save lives in the event of a chemical or biological attack.” Since the Environmental Assessment was originally published, many of DOE’s missions relating to biological security have been transferred to the Department of Homeland Security (DHS) by the Homeland Security Act of 2002. The Act authorizes DHS to access the capabilities of DOE’s laboratories and other sites to further DHS mission objectives. As a result, DOE and Lawrence Livermore National Laboratory continue to support this mission by performing work for the DHS on a “work for others” basis. The bioscience work at Lawrence Livermore National Laboratory in support of these missions requires work with infectious agents such as viruses, bacteria and other biological materials, etc. Much of the proposed work must be performed with Biosafety Level 3 containment and protection.

The timeline for this project began when DOE issued a Draft Environmental Assessment for public comment in July 2002 to construct and operate a Biosafety Level 3 facility at Lawrence Livermore National Laboratory. A Final Environmental Assessment and Finding of No Significant Impact for the proposed Biosafety Level 3 facility was issued in December 2002. Construction of the facility began December 2003 and was completed August 2005.

In September 2003, a lawsuit was filed in Federal District Court challenging the adequacy of the 2002 Environmental Assessment. In September 2004, the District Court ruled that the Environmental Assessment was adequate. In November 2004, the plaintiffs appealed to the Ninth Circuit Court. In October 2006, the Ninth Circuit issued its decision in light of its recent ruling in San Luis Obispo Mothers for Peace v. Nuclear Regulatory Commission. The Court found that with the exception of the lack of analysis concerning the possibility of a terrorist attack, the U.S. Department of Energy did take a hard look at the identified environmental concerns and that the Department's decision was fully informed and well-considered. However, the Court remanded the matter for the U.S. Department of Energy to consider whether the threat of potential terrorist activity necessitates the preparation of an Environmental Impact Statement.

In response to the Ninth Circuit ruling, the U.S. Department of Energy reviewed the threat to the Biosafety Level 3 facility from terrorists and the potential environmental effects that might derive from various terrorist acts against the facility. NNSA believes that the probability of a successful terrorist attack on the BSL-3 facility is so uncertain that the possibility of such an event cannot be accurately quantified. The NNSA review finds that, because of the extensive layered security programs at the LLNL, no environmental impacts are expected as a result of potential terrorist activities directed against this facility. Therefore, an Environmental Impact Statement is not required.

Copies of the Final Revised Environmental Assessment and Revised Finding of No Significant Impact are available to the public at the locations listed below:

- Livermore Public Library, 1000 South Livermore Avenue, Livermore, CA 94550 (925) 373-5000;
- Tracy Public Library, 20 East Eaton Avenue, Tracy, CA 95376 (209) 835-2221;
- National Nuclear Security Administration/Lawrence Livermore National Laboratory Public Reading Room, Discovery Center, Building 6525, located at the East Gate entrance off Greenville Road, Livermore, CA (925) 422-3272; and
- On the web at www-envirinfo.llnl.gov/